

PTO/SB/29 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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CONTINUED PROSECUTION APPLICATION (CPA) - RCE
REQUEST TRANSMITTALSubmit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☒ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231Attorney Docket No.
of Prior Application

09/714,469

First Named Inventor

Jawed Asrar et al

Examiner Name

T. H. Yoon

Group Art Unit

1714

Express Mail Label No.

See attached facsimile
transmissionThis is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),(continued prosecution application (CPA)) of prior application number 09 / 714,469filed on 11/16/2000, entitled Polymer Blends Containing Polyhydroxyalkanoates and Compositions
with Good Extension of Evaluation**NOTES**

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(e).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

- ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
 - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:

 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
☐ PTO 1149

PTO/SB/29 (08-00)

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.15(c) or (j))		-20* =	6	x \$ 18.00 =	\$ 108.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (j))		-3** =	2	x \$ 84.00 =	168.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))				+ \$ 280.00 =	280.00
				BASIC FEE (37 CFR 1.16)	740.00
Total of above Calculations =					1296.00
Reduction by 50% for filing by small entity (Note 37 CFR 1.27).					648.00
* Reissue claims in excess of 20 and over original patent. ** Reissue independent claims over original patent.					TOTAL = 648.00

6. ☒ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 50 - 1868:
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☒ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$_____ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(i) enclosed).
11. ☐ New Attorney Docket Number, if desired _____
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)
12. a. ☒ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: _____

NOTE:

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label  23579 (Insert Customer Number or Bar Code Label here)		<input type="checkbox"/> New correspondence address below	
Name	Patrea L. Pabst		
	HOLLAND & KNIGHT LLP		
Address	One Atlantic Center		
	1201 West Peachtree Street, Suite 2000		
City	Atlanta	State	GA
		Zip Code	30309-3450
Country	United States	Telephone	(404) 817-8473
		Fax	(404) 817-8588

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print Type)	Trudy Yang
Signature	
Registration No. (Attorney/Agent)	46,872
Date	February 25, 2003

Approved for use through 09/30/2000. OMB 0651-0032
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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<p>If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in item 1.</p>		<p>RECEIPT FOR FACSIMILE TRANSMISSION OF A REQUEST FOR A CERTIFICATE OF PRIORITY (CPA)</p> <p>This receipt is a request for a CPA filed by facsimile transmission.</p>
<p>1. ADDRESS</p>	<p>Applicant's Mailing Address for this receipt <u>must</u> be CLEARLY PRINTED or TYPED in the box below.</p>	
<p>Patrea L. Pabst HOLLAND & KNIGHT LLP One Atlantic Center 1201 West Peachtree Street, Suite 2000 Atlanta, GA 30309-3400</p>		
<p>NOTE: By this receipt, the PTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the PTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.</p>		
<p>2. APPLICATION IDENTIFICATION: (Provide at least enough information to identify the application)</p>		
<p>a. For prior application</p>		
Application No:		09/714,469
Filing Date:		November 16, 2000
Title:		Polymer Blends Containing Polyhydroxyalkanoates and Compositions With Good Retention of Elongation
Attorney Docket No:		MOBT 189 DIV
First Named Inventor:		Jawed Asrar and Jean R. Pierre
<p>b. For instant CPA application</p>		
New Attorney Docket No:		
<p>(If applicable)</p>		
<p>The PTO date stamp, which appears in the box to the right, is an acknowledgement by the PTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.</p>		<p>(THIS AREA FOR PTO DATE STAMP USE)</p>
<p>PTO HANDLING INSTRUCTIONS: Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the PTO and also include the PTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on</p>		

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 Send your Statement. This form is submitted to the PTO's to complete. The amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jawed Asrar and Jean R. Pierre

Serial No.: 09/714,469

Art Unit: 1714

Filed: November 16, 2000

Examiner: T. H. Yoon

For: *POLYMER BLENDS CONTAINING POLYHYDROXYALKANOATES
AND COMPOSITIONS WITH GOOD RETENTION OF ELONGATION*

BOX CPA
Assistant Commissioner for Patents
Washington, D.C. 20231

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

Prior to examination, please amend the application as follows. This Preliminary Amendment is being filed along with a Request for a Continued Prosecution Application under 37 C.F.R. § 1.53(d). Submitted with this Preliminary Amendment is a Petition for Extension of Time, along with the required fee, to extend the period for response two months, to and including March 14, 2003.

It is believed that no additional fee is required with this submission. However, should an additional fee be required, the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-1868.